

Calendar No. 440

111TH CONGRESS
2^D SESSION

S. 3249

[Report No. 111–215]

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2010

Mr. LIEBERMAN (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JUNE 23, 2010

Reported by Mr. LIEBERMAN, with an amendment

[Insert the part printed in *italic*]

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Predisaster Hazard
3 Mitigation Act of 2010”.

4 **SEC. 2. PREDISASTER HAZARD MITIGATION.**

5 (a) ALLOCATION OF FUNDS.—Section 203(f) of the
6 Robert T. Stafford Disaster Relief and Emergency Assist-
7 ance Act (42 U.S.C. 5133(f)) is amended to read as fol-
8 lows:

9 “(f) ALLOCATION OF FUNDS.—

10 “(1) IN GENERAL.—The President shall award
11 financial assistance under this section on a competi-
12 tive basis and in accordance with the criteria in sub-
13 section (g).

14 “(2) MINIMUM AND MAXIMUM AMOUNTS.—In
15 providing financial assistance under this section, the
16 President shall ensure that the amount of financial
17 assistance made available to a State (including
18 amounts made available to local governments of the
19 State) for a fiscal year—

20 “(A) is not less than the lesser of—

21 “(i) \$575,000; or

22 “(ii) the amount that is equal to 1
23 percent of the total funds appropriated to
24 carry out this section for the fiscal year;
25 and

1 “(B) does not exceed the amount that is
 2 equal to 15 percent of the total funds appro-
 3 priated to carry out this section for the fiscal
 4 year.”.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 6 203(m) of the Robert T. Stafford Disaster Relief and
 7 Emergency Assistance Act (42 U.S.C. 5133(m)) is amend-
 8 ed to read as follows:

9 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
 10 are authorized to be appropriated to carry out this sec-
 11 tion—

12 “(1) \$180,000,000 for fiscal year 2011;

13 “(2) \$190,000,000 for fiscal year 2012;

14 “(3) \$200,000,000 for fiscal year 2013;

15 “(4) \$200,000,000 for fiscal year 2014; and

16 “(5) \$200,000,000 for fiscal year 2015.”.

17 (c) TECHNICAL CORRECTIONS TO REFERENCES.—
 18 The Robert T. Stafford Disaster Relief and Emergency
 19 Assistance Act (42 U.S.C. 5121 et seq.) is amended—

20 (1) in section 602(a) (42 U.S.C. 5195a(a)), by
 21 striking paragraph (7) and inserting the following:

22 “(7) ADMINISTRATOR.—The term ‘Adminis-
 23 trator’ means the Administrator of the Federal
 24 Emergency Management Agency.”; and

(2) by striking “Director” each place it appears
and inserting “Administrator”, except—

(A) in section 622 (42 U.S.C. 5197a)—

(i) in the second and fourth places it
appears in subsection (c); and

(ii) in subsection (d); and

(B) in section 626(b) (42 U.S.C.
5197e(b)).

9 SEC. 3. PROHIBITION ON EARMARKS.

10 *Section 203 of the Robert T. Stafford Disaster Relief*
11 *and Emergency Assistance Act (42 U.S.C. 5133) is amend-*
12 *ed by adding at the end the following:*

13 “(n) *PROHIBITION ON EARMARKS.*—

14 “(1) *IN GENERAL.*—None of the funds appro-
15 priated or otherwise made available to carry out this
16 section may be used for congressionally directed
17 spending, as defined under rule XLIV of the Standing
18 Rules of the Senate.

19 “(2) *REPORT TO CONGRESS.*—If grants are
20 awarded under this section using procedures other
21 than competitive procedures, the Administrator of the
22 Federal Emergency Management Agency shall submit
23 to Congress a report explaining why competitive pro-
24 cedures were not used.”.

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